

THE COMMONWEALTH OF MASSACHUSETTS  
WATER RESOURCES COMMISSION

**WATER RESOURCES COMMISSION DECISION**

**(ABRIDGED)**

**Interbasin Transfer Application**

**Admission to the MWRA Water Works System**

**Town of Stoughton**

**May 9, 2002**

**DECISION**

On May 9, 2002, by a unanimous vote of the members present, the Massachusetts Water Resources Commission (WRC) approved with conditions, the town of Stoughton's request for an Interbasin Transfer for admission to the MWRA Water Works System. This vote was taken after review of the facts provided by the applicant, analysis of the associated data, and consideration of public and agency comments concerning this proposal.

**BACKGROUND**

On June 5, 2001, the WRC received a request for approval of an action to increase the present rate of interbasin transfer under the Interbasin Transfer Act (M.G.L. Chapter 21 §§ 8B-8D) from the Town of Stoughton. The Town is applying for admission to the MWRA Waterworks System to purchase up to 2.5 million gallons per day (mgd) to supplement its existing water supply sources.

On February 14, 2002, after receiving all necessary information, the WRC accepted the application as complete. Two public hearings on the application, as required by 313 CMR 4.06, were held on March 20, 2002, in Stoughton, the receiving basin, and March 21, 2002, in Belchertown, the donor basin. A third public hearing to take comments on the WRC Staff Recommendation was held on April 18, 2002 in Stoughton. Responses to comments received through the public hearing processes are available in a separate report.

The WRC discussed the merits of the application at its April 11, 2002 meeting. Comments received on the April 11<sup>th</sup> Staff Recommendation were discussed at the May 9, 2002 WRC meeting. **At this meeting, the Water Resources Commission voted unanimously (11-0), to approve, with conditions, the town of Stoughton's request for admission to the MWRA Water Works system under the Interbasin Transfer Act.**

#### FACTS PERTAINING TO THE APPLICATION

1. The application was part of the DEIR submitted to MEPA. Additional information was provided in the FEIR. The Secretary's Certificate on the FEIR was issued on December 14, 2001.
2. Stoughton has land area in the Boston Harbor basin (Neponset River and Weymouth-Weir Rivers subbasins) and the Taunton River basin.
3. The Town has seven existing water supply sources, three in the Neponset River subbasin and four in the Taunton River basin. Estimated total capacity for these sources is 2.15 mgd. (Figure 1)
4. Stoughton has been under water supply emergencies since 1987. The Town enacted a water connection moratorium in 1983.
5. In 1999, the WRC denied the Town's request for an Interbasin Transfer from the proposed Cedar Swamp Wellfield, in the Taunton River basin to the Massachusetts Coastal basin, based on environmental impacts. The WRC stated in its Decision that Stoughton had exhausted all potential sources of local water supply to meet its long-term water supply needs.
6. The MWRA Waterworks System's sources are located in the Chicopee River basin and the Nashua River basin.
7. Stoughton is proposing to purchase water to supplement its existing water supply sources.
8. Two required public hearings were held to take comment on this application, one in Stoughton, the receiving basin, on March 20, 2002, and one in Belchertown, in the donor basin on March 21, 2002.
9. A third public hearing on the April 11, 2002 WRC Staff Recommendation was held on April 18, 2002 in Stoughton.

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#### Basis for THE decision

This Interbasin Transfer application was reviewed on its own merits. The Decision is made on facts relevant to the Interbasin Transfer Act and its regulations. The application was evaluated against the eight criteria outlined in the regulations (313 CMR 4.05), as well as the Interbasin Transfer Act Performance Standards and with consideration of comments received through the public comment process.

This application was reviewed by DEM's Office of Water Resources, DEP's Division of Watershed Permitting and Southeast Regional Office, DFWLE's Division of Fisheries and Wildlife, Division of Marine Fisheries and Riverways Program, and EOEA's Chicopee and Nashua River basin team leaders. This WRC Decision is being made after an extensive

evaluation of the project and of Stoughton's compliance with the six applicable criteria of the Interbasin Transfer Act regulations.

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Synopsis of the Evaluation Criteria (313 CMR 4.05)

<b>Criteria</b>	<b>Application Meets?</b>
<b>Criterion #1:</b> MEPA Compliance	Yes
<b>Criterion #2:</b> Viable In-Basin Sources	Yes
<b>Criterion #3:</b> Water Conservation	Conditionally
<b>Criterion #4:</b> Watershed Management	Not Applicable
<b>Criterion #5:</b> Reasonable Instream Flow	Yes
<b>Criterion #6:</b> Groundwater/Pumping Test	Not Applicable
<b>Criterion #7:</b> Local Water Resources Management Plan	Yes
<b>Criterion #8:</b> Cumulative Impacts	Yes

For a complete copy of the decision call 617-626-1366 or email [michele.drury@state.ma.us](mailto:michele.drury@state.ma.us)

The complete WRC Decision was published in the Massachusetts Register, as required by 313 CMR 4.06(3). For more information concerning the Massachusetts Register, see <http://www.state.ma.us/sec/spr/sprinf/inforegi.htm>, or contact the Office of the Secretary of the Commonwealth at 617-727-2831.